POLK OPERATING, LLC

July 9, 2013

Ms. Mary Simmons (6EN-WR)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

RE: Cease and Desist Administrative Order
Docket No. CWA-06-2013-1825
Facility Number OKU000778

Ms. Simmons,

Polk Operating, LLC respectfully submits the following information in accordance with the Section 308 Information Demand as required in Administrative Order Docket No. CWA-06-2013-1825.

- Certification of Compliance with Section 309(a)(3) Compliance Order
- Polk Operating, LLC's Pollution Prevention Plan implemented to prevent similar occurrences.

If you have any questions or require additional information, please contact me at 940-366-1752 or via e-mail at mpolk@polkoperating.com.

Sincerely,

Mickey Polk
Polk Operating, LLC.

Enclosure

P. O. BOX 1271 • BOWIE, TEXAS 76230
TELEPHONE (940) 872-2522 • FACSIMILE (661) 455-2632

POLK OPERATING, LLC

CERTIFICATION OF COMPLIANCE

DOCKET NUMBER: CWA-05-2013-1825

POLK R³ FACILITY

JEFFERSON COUNTY, OKLAHOMA

FACILITY NUMBER: OKU000778

CERTIFICATION OF COMPLIANCE
SECTION 308 INFORMATION DEMAND

This document certifies our compliance with the requirements of the Order Docket Number: CWA-05-2013-1825 as required pursuant to the Section 308 Information Demand. The documentation provided herein confirms the work detailed has been completed and certifies our compliance with the specified requirements of the Order.

I certify under penalty of law that the information submitted was prepared under my direction or supervision in accordance with a system designed to assure that qualified, expert personnel properly gather and evaluate the information. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Mickey D. Polk, Managing Member

July 9 2013
Date

POLK OPERATING, LLC

CERTIFICATION OF COMPLIANCE
SECTION 309(a)(3) COMPLIANCE ORDER

I certify under penalty of law that Polk Operating, LLC has taken action in accordance with the requirements of Order Docket Number: CWA-05-2013-1825; as set forth below.

a. cease all discharges of pollutants from the facility;
b. remove all drilling fluid wastes, produced wastewater, and oil from the tributary of Red Creek located at Latitude 34° 0.222' North and Longitude 97° 49.500' West; and
c. remove all drilling fluid wastes, produced wastewater, and oil from the tributary of Sam Suell Hollow Creek located at Latitude 33° 59.118' North and Longitude 97° 49.182' West.

I further certify that we are currently in compliance and have taken steps, including the implementation of a Pollution Prevention Plan to prevent any future occurrences and ensure we remain in compliance.

Mickey D. Polk, Managing Member

July 9 2013
Date

POLK OPERATING, LLC

PART 1.0 BACKGROUND DETAILS

On 5/17/2013, Polk Operating, LLC ("Polk") was contacted by Oklahoma Corporation Commission Field Inspector, Mr. Richard Welch. The previous day 5/16/2013, there had been unusually heavy rainfall of over 3". The heavy rainfall had caused runoff from the roads to breach the road construction dikes and rain water runoff had exited the roads. Additionally, there was a significant amount of water standing on the roads which had been contained. Polk immediately took action and began the work recommended by Mr. Welch.

On 6/3/2013, Polk was contacted by Mr. Matt Rudolph with the EPA who subsequently forwarded an Inspection Report. Polk committed to review the Report and assured Mr. Rudolph that Polk would inspect and make sure any areas of concern were taken care of immediately.

Polk's Health, Safety and Environmental ("HSE") Manager traveled to the facility on 6/4/2013 and 6/5/2013 to test and document the water in and around the areas identified in the Report provided by Mr. Rudolph. Polk was unable to duplicate the test results in the Report.

On 6/17/2013, Polk received Order Docket Number: CWA-05-2013-1825.

PART 1.1 ACTIONS TAKEN

The following actions were taken by Polk:

Rainwater collecting on the roads was removed with vacuum trucks and disposed into an authorized commercial disposal well.

The roads were re-graded to prevent direct runoff to the tributaries. Rainwater collection areas were constructed to prevent rainwater run-off from the roads from entering any body of water.

Areas of soil that were affected by the rainwater run-off were tilled and turned and soil was added, as needed. Additionally, the soil was treated twice with bio-remediation agents. For the initial application, Petro-Clean was used and for the second treatment, Micro-Blaze was utilized. Both products are listed on the EPA NCP Product Schedule.

Management met and consulted with environmental expert Duane Winegardner to review Polk's plans to establish a Pollution Prevention Plan, which Polk drafted and implemented. Mr. Duane Winegardner, P.E., has practiced environmental site investigation and contaminant remediation for over 40 years and is currently a member of the Oklahoma Department of Environmental Quality Water Quality Advisory Council.

While Polk was unable to confirm the information that had been identified regarding pollution of a body of water identified in the Order, in order to certify compliance, a collection area was made at the southern area of Section 33, along the southern creek. Fresh water from a pond upgrade was pumped to the drainage area where it could follow natural flow paths down grade. The water was collected and removed with vacuum trucks and disposed into an authorized commercial disposal well. Polk's HSE Manager was onsite and tested the water periodically utilizing a YSI Model 30 meter during this process and the water did not exceeded 1000 ppm. The aforementioned collection area will serve as an isolated storm water detention pond and provide tertiary containment protection for the tributary of Sam Suell Hollow Creek.

Pursuant to Polk's Pollution Protection Plan, a change has been made to the method for dike construction during road application activities. These changes are detailed in Polk's Pollution Prevention Plan.

Polk had Mr. Duane Winegardner perform an inspection of the R^3 Facility to determine if the response to SECTION 309(a)(3) COMPLIANCE ORDER had been completed. His processes included documenting the actions taken by Polk as well as taking samples of the water in and around the areas identified in the Order to confirm compliance with the Order and to assist in documentation required pursuant to the Section 308 Information Demand (see attached documentation). Samples of the water were field tested with a YSI model 30 meter and samples were also sent to an independent laboratory for confirmation of conductivity results (laboratory report attached). In addition, Oklahoma Corporation Commission Field Inspector Mr. Richard Welch accompanied us as an observer of the inspection and sampling events.

1.2 ADDITIONAL IMPROVEMENTS PLANNED

The landowner met and consulted with a representative of the local Natural Resources Conservation Service (NRCS) office and staked out a pond which will be constructed in the southern area of section 33. This pond will expand the collection area which currently serves as an isolated storm water detention pond and provide enhanced tertiary containment protection for the tributary of Sam Suell Hollow Creek.

PART 2.1 COMPLIANCE DOCUMENTATION

The following are receipts to verify that rainwater collecting on the roads is removed with vacuum trucks and disposed into an authorized commercial disposal well.

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94197

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-18-13
WATER TYPE R/W LEASE TYPE _____ DISTRICT _____
LEASE NAME R-3 RRC NO. _____
FIELD NAME _____
OPERATOR Polk OPER. NO. _____
HAULER'S TICKET NO. 79784
VOLUME (BBLS) 90 R/W
HAULER Polk TRUCK NO. 12

I certify that the information provided above is accurate to the best of my knowledge.

L.D. Blad
Driver's Signature

Rickey Black
Driver's Printed Name

CUNNINGHAM PRINTING 972-572-0611

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94179

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-18-13
WATER TYPE: R/W LEASE TYPE _____ DISTRICT _____
LEASE NAME: R-3 RRC NO. _____
FIELD NAME _____
OPERATOR Polk OPER. NO. _____
HAULER'S TICKET NO. 79782
VOLUME (BBLS) 120 R/W
HAULER Polk TRUCK NO. 12

I certify that the information provided above is accurate to the best of my knowledge.

Ruby Blad
Driver's Signature

Rickey Black
Driver's Printed Name

CUNNINGHAM PRINTING 972-572-0611

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94184

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-18-13
WATER TYPE R/W LEASE TYPE _____ DISTRICT _____
LEASE NAME R-3 RRC NO. _____
FIELD NAME _____
OPERATOR Polk OPER. NO. _____
HAULER'S TICKET NO. 79861
VOLUME (BBLS) 120
HAULER Polk TRUCK NO. 10

I certify that the information provided above is accurate to the best of my knowledge.

Boyd Dalle
Driver's Signature

Boyd Dalle
Driver's Printed Name

CUNNINGHAM PRINTING 972-572-0611

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94190

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-18-13
WATER TYPE R/W LEASE TYPE: _____ DISTRICT _____
LEASE NAME R-3 RRC NO. _____
FIELD NAME: _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. 79862
VOLUME (BBLS) 120
HAULER: Polk TRUCK NO. 10

I certify that the information provided above is accurate to the best of my knowledge.

Boyd Dalle
Driver's Signature

Boyd Dalle
Driver's Printed Name

CUNNINGHAM PRINTING 972-572-0611

POLK OPERATING, LLC

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94224

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-21-13
WATER TYPE R/W LEASE TYPE: _____ DISTRICT _____
LEASE NAME: Kashmir RRC NO. 3
FIELD NAME: _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. 84192
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 21

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature

Driver's Printed Name

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94225

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-20-13
WATER TYPE R/W LEASE TYPE: _____ DISTRICT: _____
LEASE NAME: R3 RRC NO. _____
FIELD NAME: _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. 76804
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 9

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature

Driver's Printed Name

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94232

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 5-22-13
WATER TYPE R/W LEASE TYPE: _____ DISTRICT _____
LEASE NAME R-3 RRC NO. _____
FIELD NAME _____
OPERATOR Polk OPER. NO. _____
HAULER'S TICKET NO. 79791
VOLUME (BBLS) 120 R/W
HAULER Polk TRUCK NO. 10

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature Kelly Black

Driver's Printed Name Rickey Black

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94351

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 6-6-13
WATER TYPE R/W LEASE TYPE: _____ DISTRICT: _____
LEASE NAME: R-3 RRC NO. _____
FIELD NAME _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. 79986
VOLUME (BBLS) 120
HAULER Polk TRUCK NO. 12

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature

Driver's Printed Name Roger Ellis

POLK OPERATING, LLC

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94346

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE: 6-6-13
WATER TYPE: R/W LEASE TYPE: ____ DISTRICT: ____
LEASE NAME: R-3 RRC NO. ____
FIELD NAME: ____
OPERATOR: Polk OPER. NO. ____
HAULER'S TICKET NO. 79385
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 12

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature: ____
Driver's Printed Name: Royer Elliot

CUNNINGHAM PRINTING 872-2732 (05/11)

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94359

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE: 6-6-13
WATER TYPE: R/w LEASE TYPE: ____ DISTRICT: ____
LEASE NAME: R3 RRC NO. ____
FIELD NAME: ____
OPERATOR: Polk OPER. NO. ____
HAULER'S TICKET NO. 80055
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 12

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature: [illegible signature]
Driver's Printed Name: ____

CUNNINGHAM PRINTING 872-2732 (05/11)

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94605

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE: 6-9-13
WATER TYPE: R/W LEASE TYPE: ____ DISTRICT: ____
LEASE NAME: R-3 RRC NO. ____
FIELD NAME: ____
OPERATOR: Polk OPER. NO. ____
HAULER'S TICKET NO. 80106
VOLUME (BBLS): 120 R/W
HAULER: Polk TRUCK NO. 12

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature: [signature]
Driver's Printed Name: Rickey Black

CUNNINGHAM PRINTING 872-2732 (05/11)

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94391

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE: 6/10/13
WATER TYPE: R/W LEASE TYPE: ____ DISTRICT: ____
LEASE NAME: R3 RRC NO. ____
FIELD NAME: ____
OPERATOR: R3 OPER. NO. ____
HAULER'S TICKET NO. 79368
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 21

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature: Lance Alv[signature]
Driver's Printed Name: Lance Alverson

CUNNINGHAM PRINTING 872-2732 (05/11)

The following are receipts to verify that the water that was utilized to flush the southern area of section 33 was removed by vacuum trucks and disposed into an authorized commercial disposal well.

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94973

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 6/14/13
WATER TYPE: RW LEASE TYPE: _____ DISTRICT: _____
LEASE NAME: RS RRC NO. _____
FIELD NAME: _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. _____
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 9

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature

Driver's Printed Name

CUNNINGHAM PRINTING 972-372-0311

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94977

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 6/19/13
WATER TYPE: RW LEASE TYPE: _____ DISTRICT: _____
LEASE NAME: RS RRC NO. _____
FIELD NAME: _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. _____
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 9

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature

Driver's Printed Name

CUNNINGHAM PRINTING 972-372-0311

POLK OPERATING LLC
P.O. BOX 1271
BOWIE, TEXAS 76230
(940) 872-8556

94981

SALT WATER DISPOSAL TICKET

NOTE: ALL INFORMATION MUST BE PROVIDED BELOW PRIOR TO BEING ALLOWED TO UNLOAD AT OUR FACILITIES. NO EXCEPTIONS.

TICKET DATE 6/20/13
WATER TYPE: RW LEASE TYPE: _____ DISTRICT: _____
LEASE NAME: RS RRC NO. _____
FIELD NAME: _____
OPERATOR: Polk OPER. NO. _____
HAULER'S TICKET NO. _____
VOLUME (BBLS): 120
HAULER: Polk TRUCK NO. 10

I certify that the information provided above is accurate to the best of my knowledge.

Driver's Signature

Driver's Printed Name

CUNNINGHAM PRINTING 972-372-0311

POLK OPERATING, LLC

The following information is third party verification of our compliance as documented by the investigation report provided by environmental expert Mr. Duane Winegardner (see report attached).

Oklahoma Corporation Commission Field Inspector Mr. Richard Welch accompanied us as an observer of the inspection.

Duane L. Winegardner, P.E.
Consulting Engineer and Geologist

326 Sequoyah Trail
Norman, OK 73071

Phone/Fax 405-366-8590
Cell 405-620-0075
duanewinegardner@cox.net

July 9, 2013

Ms. Mary Simmons (6EN-WR)
USEPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: Cease and Desist Administrative Order, Docket Number: CWA-06-2013-1825
Facility Number: OKU000778
Third Party Inspection Report

Dear Ms. Simmons:

On June 28, 2013, at the request of Mr. Mickey Polk, I made an inspection of the Polk R-3 facility to determine if the response to SECTION 309(a)(3) COMPLIANCE ORDER has been completed. Mr. Richard Welch, Field Inspector with the Oklahoma Corporation, accompanied us as an observer of the inspection.

The day of the inspection was a typical hot summer day, following several days of similar weather. No water was observed flowing in the tributary to Red Creek or from the tributary to Sam Suell Hollow Creek. Water samples for conductivity and total dissolved solids testing were collected from standing water ponds. Sampling locations for this inspection were selected to be as near the EPA sample sites as possible, considering the lack of flowing water. Laboratory confirmation reports are included in the Polk Operating discussion.

Prior to the inspection date, Polk Operating had re-graded the roads to prevent direct runoff into the tributaries and assured that drilling fluid wastes, produced wastewater and oil are not present in either of the tributaries. The berms along the road are being constructed in accordance with the design discussed in the Pollution Prevention Plan.

Pond

The site inspection began with observing the Pond identified in (EPA) Photographs # 4 and 5 by EPA Inspector Kent Sanborn (34^0 0.222N 97^0 49.500). A sample of the pond water was field tested with a YSI 30 meter and a sample was sent to Environmental Testing, Inc. for confirmation of conductivity results. Testing results were Field Conductivity by calibrated YSI 30 meter: 2612 umhos/cm, 1100 ppm TDS, Laboratory conductivity 2400 umhos/cm (Laboratory Sample #1). The water in the pond was clear, no odor of petroleum products was apparent and wildlife appeared to be normal. A large snake was observed swimming near our sampling point. Photograph # 1 shows the pond on this date. The site is shown as Google Map Site #1

On July 5, 2013, another test was made in the direct path of drainage from the pond in the tributary to Red Creek at the first standing water in that pathway (N 34.004623 W97.823631). Results were: conductivity 166.8 umhos/cm and 107 ppm TDS. Photographs #11 and #12 were taken at that location. The site is shown as Google Map Site #4.

POE #1

The second location inspected was as close to the Point of Entry #1(POE #1) into the tributary to Red Creek as was possible to collect a sample of standing water. Results of field testing were: conductivity 1344 umhos/cm, TDS 700 ppm; laboratory conductivity: 1420. No petroleum odors were noticed and the dry stream bed appeared to be in a normal condition for this season. Photographs 2 and 3 document this location. Location is (N34.004002) W97.825294, shown as Google Site #2.

A third sample was collected to represent background conditions from approximately 900 feet up gradient from POE #1. Field testing results were: 764 umhos/cm, TDS 300; laboratory conductivity 726. Photographs 4 and 5 show the stream at this location. Location is (N34.004108 W97826752), Shown as Google Site #3.

POE #2

Polk Operating has flushed the tributary to Sam Suell Hollow Creek. Photographs 6 and 7 were taken at N33.98505 W97.81933. These photographs show tilling and treating of the stream bed soils. The streambed soil in the dry stream bed was treated from above POE #2 to the south property line (N33.9840 97.81968) where a storm water detention pond is being constructed. This pond will intercept all runoff from the area above POE#2 and will contain runoff for inspection and removal to disposal (if necessary). Dam construction is shown on Photograph 8. Google Site #5: Stream Bed Excavation, Google Site #6: Detention Dam under construction.

Road Construction

Road drainage has been reconfigured to prevent it from entering waters of the United States before it is shown to be free of site wastes. Berms along the road at have been constructed in low areas to retain rainfall for collection and disposal. Roadside bar ditches are graded to discharge into the storm water detention pond described above. Typical road berms are shown on Photograph 9 (N33.9851 W97.8185) and Photogrtaph10 (N33.9860 W97.8183). Locations are shown as Google Site #7 and Google Site #8.

Conclusions

Based on the data which I collected during my inspection, Polk Operating has made every effort to comply with the Administrative Order. Discharges of oil field wastes have been eliminated, and drilling fluids, produced wastewater and oil are not present in either of the tributary points of entry. The roadway has been reconfigured to retain excess rainfall for collection and disposal. Construction is being completed on a storm water detention pond which will contain drainage from the Sam Suell Hollow Creek tributary to allow inspection and removal of possible contaminated fluids before discharge to waters of the United States.

If you have any questions, please contact me via the addresses listed at the top of the cover page.

Sincerely,

Duane L. Winegardner

Duane L. Winegardner, P.E.
Engineer and Hydrogeologist

Photo #1 Pond Sampling
(N34.004814 W97.826042)
Facing SE

Photo #2 near POE #1
(N34.004002 W97.825294)
Facing E

Photo #3 near POE #1
(34.004002 W97.825294)
Facing W

Photo #4 Up-gradient Location
(N34.004108 W97.826752)
Facing W

Photo #5 Up-gradient Location
(N34.004108 W97.826752)
Facing E

Photo #6 Tributary Soil Treatment
(33.98505 W97.819333)
Facing N

Photo #7 Tributary Soil Treatment
(N33.98505 W97.81933)
Facing SW

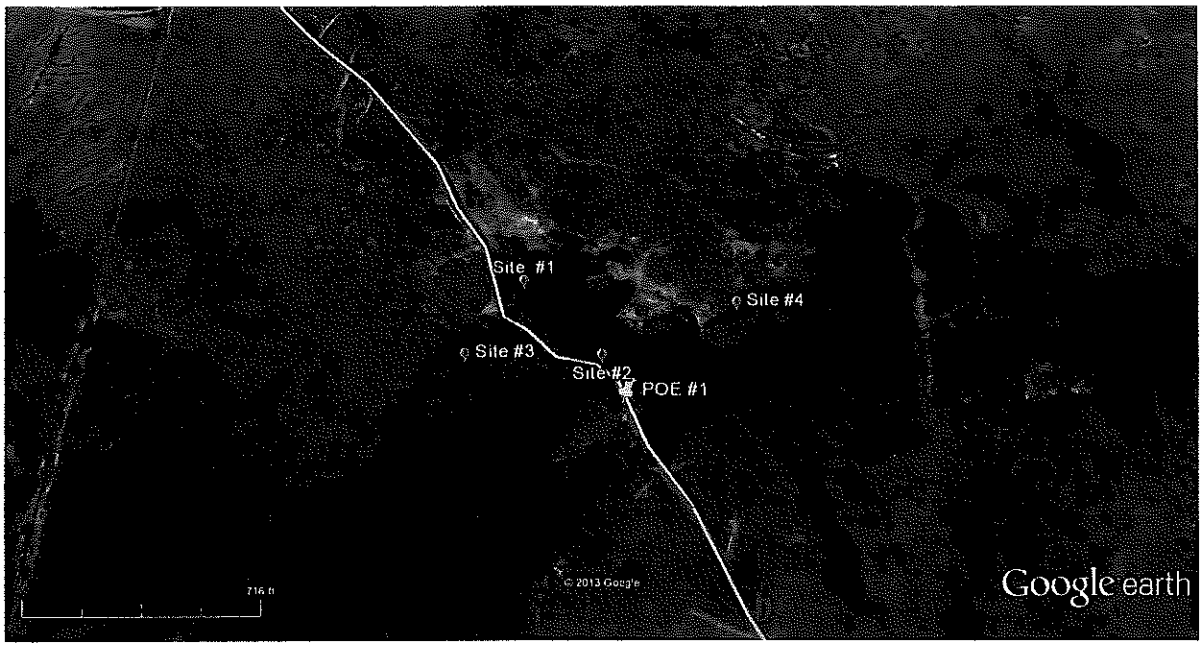
Photo #8 Detention Pond Construction
(N33.9840 W97.81968)
Facing E

Photo #9 Storm Water Retention Berm
on Road Facing E
(N33.9851 W97.8185)

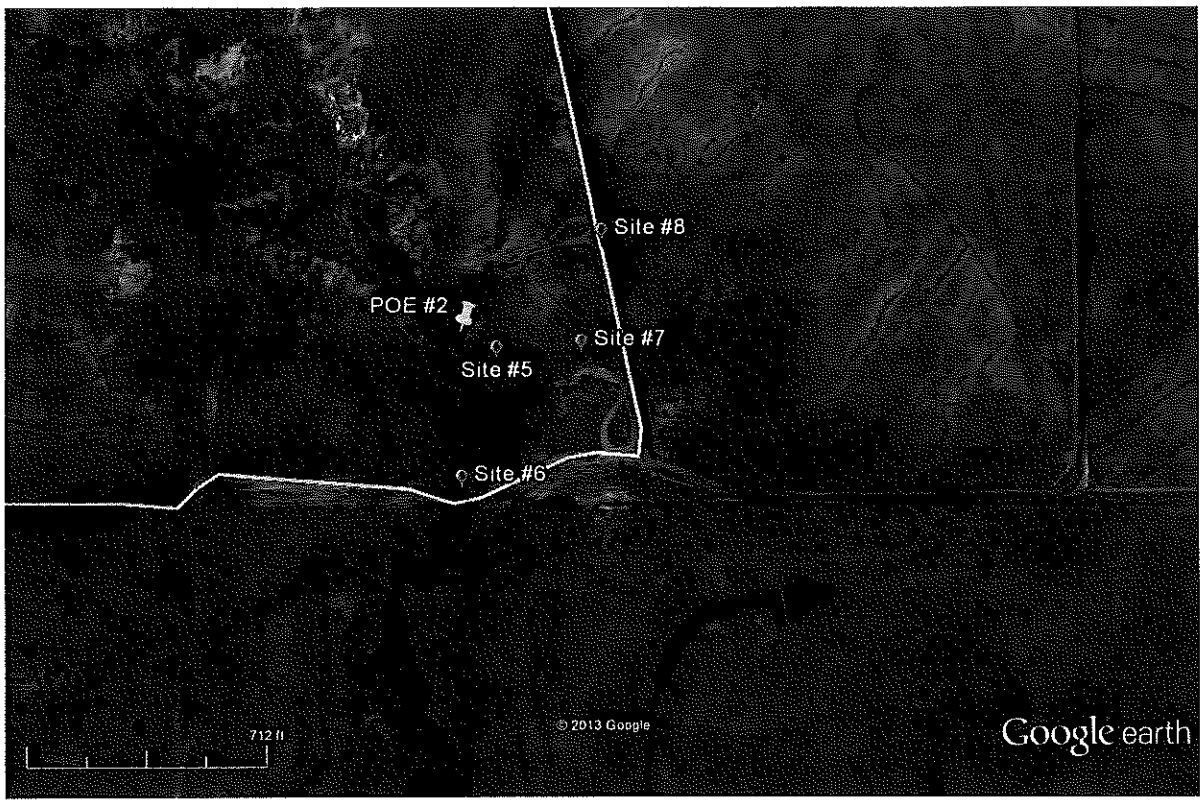
Photo #10 Storm Retention Berm
on Road Facing W
(N33.9860 W97.81833)

Photo #11 Conductivity in Tributary to
Red Creek. (N34.004623 W97.823631)

Photo #12 In Tributary to Red Creek
(N34.004623 W97.823631)



Polk Operating, North Section



Polk Operating Site, South Section

PART 2.4 COMPLIANCE DOCUMENTATION

The following is independent laboratory analysis in support of the documentation of our compliance with the Order.

Laboratory Analytical Report

ENVIRONMENTAL TESTING, INC.
4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

02 July 2013

Mr. Duane Winegardner
Polk Operating
P.O. Box 1271

Bowie, TX 76230

WO: E3G0007
RE: R3 Facility

Enclosed are the results of analyses for samples received by the laboratory on 07/01/13 13:10. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Russell Britten
President

ENVIRONMENTAL TESTING, INC.

4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Polk Operating	Project: R3 Facility	
P.O. Box 1271	Project Number: No Project	**Reported:**
Bowie TX, 76230	Project Manager: Mr. Duane Winegardner	07/02/13 13:32

1- Pond

E3G0007-01 (Aqueous)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Analyst	Analyzed	Method	Notes
Environmental Testing Inc.									
Conventional Chemistry Parameters by Standard Methods									
Conductivity	**2400**	1.00	umhos/cm	1	EBG0024	LSB	07/01/13 15:15	SM 2510B	

Environmental Testing Inc.

Russell Britten, President

The results in this report apply to the samples analyzed in accordance with the chain of custody document and meet all laboratory accreditation requirements unless noted otherwise. This analytical report must be reproduced in its entirety.

ENVIRONMENTAL TESTING, INC.

4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Polk Operating	Project: R3 Facility	
P.O. Box 1271	Project Number: No Project	**Reported:**
Bowie TX, 76230	Project Manager: Mr. Duane Winegardner	07/02/13 13:32

2- Creek

E3G0007-02 (Aqueous)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Analyst	Analyzed	Method	Notes
Environmental Testing Inc.									
Conventional Chemistry Parameters by Standard Methods									
Conductivity	**1420**	1.00	umhos/cm	1	EBG0024	LSB	07/01/13 15:15	SM 2510B	

Environmental Testing Inc.

Russell Britten, President

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ENVIRONMENTAL TESTING, INC.

4619 N. Santa Fe
Oklahoma City, OK 73118
405.488.2400 Phone
405.488.2404 Fax
www.etilab.com

Polk Operating	Project: R3 Facility	
P.O. Box 1271	Project Number: No Project	**Reported:**
Bowie TX, 76230	Project Manager: Mr. Duane Winegardner	07/02/13 13:32

3- Creek

E3G0007-03 (Aqueous)

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Analyst	Analyzed	Method	Notes
Environmental Testing Inc.									
Conventional Chemistry Parameters by Standard Methods									
Conductivity	**726**	1.00	umhos/cm	1	EBG0024	LSB	07/01/13 15:15	SM 2510B	

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Bowie TX, 76230	Project Manager: Mr. Duane Winegardner	07/02/13 13:32

Conventional Chemistry Parameters by Standard Methods - Quality Control

Environmental Testing Inc.

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch EBG0024 - General Prep - Wet Chem (Aq)										
LCS (EBG0024-BS1)				Prepared & Analyzed: 07/01/13						
Conductivity	1420	1.00	umhos/cm	1410		100	80-120			
Duplicate (EBG0024-DUP1)		**Source: E3G0001-01**		Prepared & Analyzed: 07/01/13						
Conductivity	507	1.00	umhos/cm		506			0.2	20	

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Non Certified Analyses included in this Report

Analyte

Certifications

Code	Description	Number	Expires
KDHE	Kansas Accredited	E-10401	01/31/2014
NDSDH	North Dakota Accredited	R-191	06/30/2013
NELAP	NELAP Accredited	10002	06/30/2013
ODEQ	Oklahoma Accredited	2012-154	08/31/2013
TCEQ	Texas Accredited	T104704498-13-3	03/31/2014

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Polk Operating	Project: R3 Facility	
P.O. Box 1271	Project Number: No Project	**Reported:**
Bowie TX, 76230	Project Manager: Mr. Duane Winegardner	07/02/13 13:32

Notes and Definitions

DET	Analyte DETECTED
ND	Analyte NOT DETECTED at or above the reporting limit
NR	Not Reported
dry	Sample results reported on a dry weight basis
RPD	Relative Percent Difference

Environmental Testing Inc.

Russell Britten, President

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CHAIN OF CUSTODY RECORD

ENVIRONMENTAL TESTING, INC.

4619 NORTH SANTA FE AVE.
OKLAHOMA CITY, OK 73118
(405) 488-2400
FAX: (405) 488-2404

Oilab

PAGE: ___ OF ___
SAMPLE SERIES #: 1360007
SHADED AREAS FOR LABORATORY USE ONLY

COMPANY: Polk Operating
ADDRESS: P.O. Box 1271
Bowie TX 76230
PHONE #: 405-620-0075 - (Duane Winegardner)
EMAIL: duanewinegardner@cox.net
P.O. #:
CLIENT CONTACT: Duane Winegardner
PROJECT #: /MANAGER:
SITE LOCATION: R 3 Facility

SAMPLE TYPE: 1. WATER 2. SOIL 3. SLUDGE 4. OIL 5. OTHER

CONTAINER TYPE: P-PLASTIC G-GLASS V-VOA O-OTHER T-TEFLON

ANALYSIS

ETI SAMPLE #	CLIENT SAMPLE IDENTIFICATION	SAMPLE TYPE	CONTAINER SIZE	CONTAINER TYPE	CONTAINER #	SAMPLING DATE	SAMPLING TIME	PRESERVATIVES	Conductivity										LAB COMMENTS
	1 - Pond	1	250	P	1	6/28/13		None	X										
	2 - Creek	1	250	P	1	6/28/13		↓	X										
	3 - Creek	1	4oz	P	1	6/28/13		↓	X										

RECEIVED ON ICE: [X] Y [ ] N @ 0.6 °C
EQUIPMENT #: 401784

SAMPLER: Duane Winegardner

FIELD PH: TEMP: TIME: COND: CALIB: [ ] 4 [ ] 7 [ ] 10

REQUESTED TURNAROUND TIME: [X] REGULAR (5 DAYS)
RUSH REQUIRED: (ADDITIONAL FEES MAY APPLY) [ ] 3 DAYS [ ] 2 DAYS [ ] 1 DAY

RELINQUISHED BY:	DATE / TIME	RECEIVED BY:	DATE / TIME	COMMENTS:
Duane L. Winegardner	DATE: 7/1/13 TIME: 1310	[signature]	DATE: 7/1/13 TIME: 1310	
RELINQUISHED BY:	DATE: TIME:	RECEIVED BY:	DATE: TIME:	
RELINQUISHED BY:	DATE: TIME:	RECEIVED BY:	DATE: TIME:	LOG IN REVIEW:

SIGNATURE CONSTITUTES AGREEMENT TO TERMS & CONDITIONS.

ENVIRONMENTAL TESTING, INC.

F039.008

Sample/Cooler Receipt Form

Sample Series # 1360007

1.	Were samples received on ice?	(YES)	NO
2.	Temperature of representative sample or temperature blank 0.4 °C		
3.	If the temperature is ≤ 0°C , was the representative sample or temp blank frozen?	YES NO	(NA)
4.	Did all containers arrive in good condition (unbroken)?	(YES)	NO
5.	Were VOA vials received?	YES	(NO)
	a. Was there any observable headspace present in any VOA vial?	YES NO	(NA)
6.	Were the correct containers used for the analysis requested?	(YES)	NO
7.	Was there sufficient amount of sample to perform the requested tests in each container?	(YES)	NO
8.	Were the samples received with sufficient time left to meet holding time requirements?	(YES)	NO
9.	On preserved containers, did pH strips suggest preservation reached the correct pH level? (DO NOT OPEN VOA VIALS TO CHECK pH)	YES NO	(NA)
	Acid Preserved ≤2 Other _____ Base Preserved ≥12 Other _____		
10.	Did the containers indicate the correct preservatives were used for the requested analysis?	YES NO	(NA)
11.	Were chain-of-custody forms properly filled out (conforms to ETI Sample Acceptance Policy)?	(YES)	NO
12.	If samples were not in compliance, was the client notified of the nonconformity?	YES	Date:_____ Initial: _____
	a. If yes, does the client wish to proceed with analysis?	YES	NO
13.	Was the client notified of the intent to subcontract work that will NOT be performed by ETI?	YES	Date:_____ Initial: _____

Preservative ID(s) _____, _____, _____, _____

I certify that all of the above checks were completed. (Initial) _____

I certify the project was entered into the LIMS, and a label with the unique LIMS number was attached to each container. (Initial) _____

Notes:

_____

_____

_____

Report and Accompanying Data Reviewed by: _____ Date: _____

POLK OPERATING, LLC

POLLUTION PREVENTION PLAN
POLK R³ FACILITY
JEFFERSON COUNTY, OKLAHOMA

EXECUTIVE SUMMARY

Polk Operating, LLC ("Polk") is committed to continued excellence, leadership and stewardship in protecting the environment. Environmental protection is the responsibility of every employee and is the basic responsibility of this company.

In keeping with this policy, our objective as a company is to reduce waste and achieve minimal adverse impact on air, water and land through excellence in pollution control, in addition to and as an adjunct to our business purpose of recycling and creating a product from secondary materials and/or oilfield waste.

Our environmental guidelines are stated as follows:

- Environmental protection is a line of responsibility and an important measure of employee performance. Every employee is responsible for environmental protection and pollution prevention in the same manner he or she is for safety.

- Managing the various waste streams that are generated from the drilling and production of hydrocarbons in a manner that will not allow or cause pollution to the environment has been and continues to be a prime consideration in process design and operations and is viewed by management as a vital ingredient of our business.

- Source reduction/waste minimization will be given first consideration prior to classification and recycling/disposal.

Mickey D. Polk, Managing Member

July 9, 2013
Date

CERTIFICATION OF COMPLETION

This document certifies that the pollution prevention plan has been completed and meets the specified requirements of the Waste Reduction Policy Act of 1991, the Solid Waste Disposal Act and 30 TAC §§335.471 – 335.480. Furthermore, the information provided herein is true, correct, and complete to the best of my knowledge.

I certify that I have the authority to commit the corporate resources necessary to implement this plan.

Mickey D. Polk, Managing Member

July 9 2013
Date

1.1.1 FACILITY NAME AND ADDRESS

NAME OF FACILITY:	POLK R³ FACILITY
CONTACT PERSON:	MICKEY D. POLK
MAILING ADDRESS:	P.O. BOX 1271
CITY, STATE, ZIP:	BOWIE, TEXAS 76230
FACILITY ADDRESS:	N/S18 ROAD & E/W20
	JEFFERSON COUNTY, OKLAHOMA
CONTACT PHONE:	(940) 872-2552
CONTACT FAX:	(661) 455-2632

1.1.2 FACILITY LOCATION

The site is located at N/S18 Road and E/W20 in a rural area, 7 miles east of the City of Ryan, Jefferson County, Oklahoma. The site is an irregular-shaped 7.5-acre parcel of land and located on an 1,800-acre tract owned by the same landowner. The site is ½ mile east of NS18 Road and vacant land surrounds the Facility. Beyond the vacant land the nearest residence is 3500 feet north of the Facility.

The facility is located:
E/2 SE/4 NE/4 NW/4 & NE/4 NE/4 NW/4 / SECTION 28 T6S R6W

1.1.3 FACILITY CONTACTS

The following employees are authorized to act on behalf of Polk Operating, LLC.

NAME:	MICKEY POLK
TITLE:	MANAGING MEMBER
PHONE:	(940) 366-1752

NAME:	HAROLD PRICE
TITLE:	SAFETY, HEALTH AND ENVIRONMENTAL
PHONE:	(469) 223-3689

PART 1.2 CURRENT PERMITS

OCC PERMIT CRF:	22651
OCC DELETERIOUS SUBSTANCE TRANSPORT PERMIT:	03884
OCC TRUCK YARD WASH PIT PERMIT:	11-05-001

These permits are reflected as of June 18, 2013.

PART 1.3 FACILITY BACKGROUND

Polk Operating, LLC ("Polk") operates a permitted hydrocarbon recycling/reclaiming facility in Jefferson County, Oklahoma outside the city of Ryan. The facility is primarily dedicated to the treatment, stabilization and recycling of oil-based drilling fluids and cuttings into an environmentally friendly roadbase. Polk also operates, on-site, a truck yard wash out pit for the wash out of vacuum tanks and end dumps. In addition, Polk has an Oklahoma deleterious substance transport permit and a Texas waste haulers permit for the transportation of oilfield waste from hydrocarbon production leases to the facility.

According to review of historical records, the site was used for agriculture until the leasing of the site by Polk. Polk designed, permitted and constructed the facility in accordance with Oklahoma Administrative Code Title 165, Chapter 10, Subchapter 8.

2.1.1 MULTIPLE PROCESSES ON-SITE

Polk has a proprietary multiple step process for the recycling of deleterious substances (see Part 2.2 for a list of substances recycled). The steps include bio-remediation/treatment, stabilization and curing to insure the result is a product that has a beneficial reuse.

Bio-remediation of the deleterious substances involves identifying the optimal level of bio-remediation agent (only bio-remediation agents listed on the EPA NCP Product Schedule are utilized) and physical conditions that maximize indigenous aerobic microbiological populations that result in the bio-remediation of oil field waste solids. Successful remediation is defined by total petroleum hydrocarbon (TPH) reduction.

Stabilization occurs when the deleterious substance is mixed in a process that uses a dilutive mix of a ratio of cuttings, native inert material and aggregate, along with a stabilization agent introduced during the mixing process to maintain the integrity of the mixture.

Curing further promotes bio-remediation and stabilization of the material for beneficial reuse as a roadbase.

The facility supports pollution prevention not only on-site but off-site as well, by eliminating lingering waste streams. Furthermore, the petroleum hydrocarbons within drill cuttings are already a standard raw material used in generating road material. Utilizing the TPH within the drilling cuttings is a logical substitute for road building. The results are a stronger, sturdier road surface than dirt/aggregate roads. Other attributes for use for road material are reduction of dust control requirements, longer lasting road surface by reducing repair and maintenance costs, water repellant by reducing mud in inclement weather, higher compressive strength and increase in structural density.

2.1.2 OVERVIEW PROCESS OPERATION ON-SITE

Polk R^3 Facility ("Polk R^3") in Jefferson County, Oklahoma is primarily dedicated to the treatment, stabilization and recycling of oil-based drilling fluids and cuttings into an environmentally friendly roadbase. Prior to acceptance, the incoming material must have the proper documentation regarding the generator, material profile and waste hauler and all must be approved in advance by Polk R^3. The incoming material is inspected by authorized Polk R^3 personnel to ensure it is consistent with documentation provided.

Incoming solids are inspected prior to proceeding to the concrete unloading area. Before moving the cuttings from the unloading area to the initial-treatment area, the material is treated with bio-remediation agents listed on the EPA's NCP Product Schedule. The material is placed in the initial-treatment area and will be moved within the initial-treatment area to enhance the bio-remediation. This process requires two weeks minimum. The material is then moved to the temporary storage area and mixed with native inert material to ensure the bioremediation process continues. From there the material will be further treated by adding the appropriate amounts of Portland cement, lime or cement kiln dust in the treatment/stabilization process, followed by blending with additional native inert material and/or native caliche material and/or aggregate to meet the engineering expectations for the end users intended use.

Incoming liquid material is off loaded into above ground storage tanks and treated to enhance separation. Frac tanks are utilized for decanting the separated liquids. This separated water, when achieving the target testing requirements of Interim Order No. 610005, may be used for dust control on county and facility roads. The solids will be transferred from the frac tanks to the initial-treatment area, treated and stabilized. Any excess recovered water is disposed into an authorized commercial disposal well.

PART 2.2 IDENTIFICATION OF WASTE RECYCLED

The deleterious substances authorized to be recycled at the Polk R³ Facility include:

RCRA Exempt Waste
Salt Water
Oilfield Brine
Waste Oil
Waste Emulsified Oil
Basic Sediment
Scale
Paraffin
Rust
Water
Mud
Sand
Drill Cuttings (water based)
Oil Based Mud
Drill Cuttings (oil based)
Other sediments (produced or used in the drilling, development, production, transportation, refining, and processing of oil and gas)

No hazardous waste or NORM is accepted at the facility.

PART 3.1 WASTE CONTROL MEASURES ON-SITE

The Polk R³ Facility design incorporates several waste control measures to insure the public health and groundwater are protected.

The concrete wash out pit, above ground frac tanks and HDPE lined initial-treatment storage area provide primary containment protection. The entire facility is surrounded by a parameter containment area dike to provide secondary containment protection. Down grade (south) of the facility a containment area is in place to provide tertiary containment protection.

Rainwater run-off is prevented from entering the facility by the parameter containment dike. Rainwater that falls within the facility is prevented from exiting the facility by this containment dike.

Within the facility, rainwater collection areas are in place and the grade is such that rainwater that falls within the facility is collected in the rainwater collection areas. Any excess recovered rainwater is road applied in strict compliance with Interim Order No. 61005 or disposed into an authorized commercial disposal well.

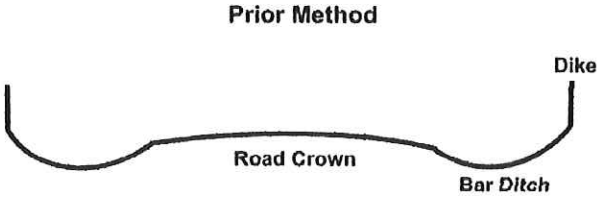
The USDA Soil Report, site specific subsurface excavation and well driller's logs determined there is a substantial clay layer underlying the facility that helps protect groundwater. Monitoring wells are in place and are regularly sampled to provide verification that no ground water pollution exists.

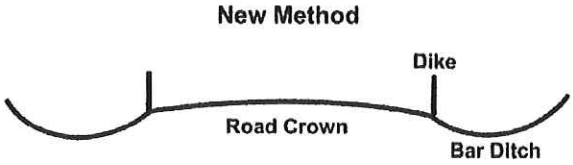
Polk R³ built in waste control measures provide pollution protection from the facility roads and protect the groundwater, as well as the tributaries of nearby creeks.

Polk R³ incorporated a new method for constructing a dike during road application of material.

The prior method for the constructing of dikes for the application of material to roads

The Dikes were built at the outside of the Bar Ditch





The new method for the constructing of dikes for the application of material to roads

The Dikes are built at the edge of the crown of the road inside the Bar Ditch

Polk R³ constructed rainwater containment areas to collect rainwater run-off from the roads to ensure protection from any rainwater run-off from the roads. The containment areas allow the rainwater run-off from the roads to be collected and tested. The rainwater run-off can be released if it passes below the 1000 ppm threshold or removed with a vacuum truck and disposed into an authorized commercial disposal well.

4.1.1 ENVIRONMENTAL AWARENESS TRAINING

Polk R³ recently instituted enhanced pollution prevention training for its employees. The training, conducted by the Polk safety, health and environmental manager was important not only to reinforce the Polk's pollution prevention policies, but also to solicit suggestions and ideas for carrying out pollution prevention goals from its employees.

4.1.2 FUTURE TRAINING ACTIVITIES

Future employee awareness programs and pollution prevention training are scheduled to be conducted periodically. Again these programs and training events will serve not only to keep employees informed and aware of the pollution prevention plan, but will also provide an opportunity to solicit new ideas.

APPENDIX A

CCDS Form

OECA Enforcement Case Conclusion Data Sheet | FY2012

A. Case and Facility Background

1. (a) Enforcement Action ID 06 -2013-1825
   (b) Enforcement Action Name _Polk Operating, LLC_____

   Judicial District: _____
   Court Docket Number: _____
   Court Case Name: _____
   DOJ Number: _____
   DOJ Case Name: _____

2. (a) CERCLIS Site ID __-____-____
   (b) CERCLIS Site Name _____

3. Final Order Type

   Judicial
   ____(a) Consent Decree or Court Order Resolving a Civil Judicial Action
   ____(b) Judicial Order Amending or Enforcing Consent Decree
   ____(c) Proposed Judicial Settlement
   ____(d) Enforceable Final Order Activity Producing Results
   ____(e) Non-Lead Participant in Multi-Regional Case
   ____(f) Post-Final Order Record of Decision (ROD)

   Administrative
   X___(a) Administrative Compliance Order
   ____(b) Amendment to Administrative Order or Consent Agreement
   ____(c) Administrative Penalty Order Order (with or without injunctive relief)
   ____(d) Proposed Administrative Settlement
   ____(e) Enforceable Final Order Activity Producing Results
   ____(f) EPA/Customs Import Enforcement Action
   ____(g) Federal Facility Agreement (FFA)
   ____(h) Federal Facility Compliance Agreement
   ____(i) Federal Facility Record of Decision (ROD)
   ____(j) Post-Final Order Record of Decision (ROD) (not Federal Facility)
   ____(k) Final Order Revoking or Suspending a Permit
   ____(l) Notice of Determination
   ____(m) Non-Lead Participation in Multi-Regional Case
   ____(n) Superfund Administrative Order for Cost Recovery
   ____(o) Stipulated Penalty Assessed Against Previous Action

4. Was Alternative Dispute Resolution used in this action? (Y/N) __N___

5. Was an Environmental Management System requested? (Y/N) _N____

6. (a) Administrative Conclusion Dates: _____Final Order Issued: _6/12/2013_____ Estimated Termination Date: _____

   Actual Termination Date: _____ Most Recent Amendment Date: _____

   Agreement in Principle Date: _____

   (b) Civil Judicial Conclusion Dates: CD Lodged_____ CD Entered: _____ Estimated Termination Date: _____

7. Defendant(s)/Respondent(s) ___Polk Operating, Inc._____

8. Enforcement Case Summary for Public Distribution: __On June 12, 2013, EPA Region 6 issued an Administrative Order (AO) under its authority pursuant to Sections 308 and 309 of the Clean Water Act (CWA) to Polk Operating, LLC (Respondent) located in Jefferson County, Oklahoma. The AO was issued in response to violation of Section 301 of the CWA. The violation is for an unauthorized discharge of produced water and drilling fluid wastes to a water of the U.S. The AO requires Respondent to (1) cease all discharges of pollutants from the facility; (2) remove all drilling fluid wastes, produced wastewater, and oil from the tributary of Red Creek, located at Latitude 34° 0.222' North and Longitude 97° 49.500' West; (3) remove all drilling fluid wastes, produced wastewater, and oil from the tributary of Sam Suell Hollow Creek, located at Latitude 33° 59.118' North and Longitude 97° 49.182' West; (4) and to submit written documentation in the form of certification and a pollution prevention plan. The Respondent must respond to EPA Region 6 within 30 days of receiving the AO.

(Sensitive comments) _____

9. Federal Statute(s) violated (e.g., CAA, EPCRA, etc.) (Not U.S.C. or CFR) CWA _____, _____, _____, _____, _____, _____, _____, _____, _____

10. National Enforcement Initiative (Y/N) _____ If Yes, √ option(s) below:

( ) Air Toxics ( ) Combined Animal Feeding Operations: ____ CAFO ____ CAFO Regional Initiative Areas

( ) Energy Extraction ( ) Mining/Mineral Processing: ____Mining ____Mineral Processing

( ) Municipal Infrastructure: __CSO ≥ 50K __SSO > 50K __MS4 population > 10,000

( ) NSR/PSD: __Coal Fired Power Plants __Cement __Glass __Acid

11. Is this a Multi-Regional case: (Y/N) _____

12. Facility Information

(a) Facility Name(s): _____SE-28-06-06_____

(b) Facility Address(s) Street: SE/4, SEC. 28, T 6S, R6W City: Ryan County: Jefferson St: OK Zip: 73565

B. Penalty (if there is no penalty or cost recovery, enter 0 and proceed to #17; if there is Cost Recovery, proceed to #16)

13 (a) Notice Pleading? (Y/N) _____

(b) For multimedia actions, Cash Civil Penalty Amount Required by statute:

Statute	Amount
_____	$_____
_____	$_____

14. Penalty Assessed to be Paid to:

a. EPA $_____
b. Federal Agency/Dept. Other than EPA: $_____
c. State/Local Agency: $_____

15. Total Penalty Collected (if known): $_____

C. Cost Recovery

16. Amount of cost recovery required: $_____ EPA $_____ State and/or Local Government $_____ Other

D. Supplemental Environmental Project (SEP) Information (Y/N) If Yes, for each SEP provide the following:

17. Is Environmental Justice addressed by impact of SEP? (Y/N) _____

18. SEP description: _____

_____

19. Category of SEP(s)
- __ (a) Public Health
- __ (b) Pollution Prevention (Complete Q. 19)
  - __ (1) Equipment/technology modifications
  - __ (2) Process/procedure modification
  - __ (3) Product reformulation/redesign
  - __ (4) Raw materials substitution
  - __ (5) Improved housekeeping/O&M/training/inventory-control
  - __ (6) In-process recycling
  - __ (7) Energy efficiency/conservation
- __ (c) Pollution Reduction (Complete Q. 19)
- __ (d) Environmental Restoration and Protection
- __ (e) Assessments and Audits
- __ (f) Environmental Compliance Promotion
- __ (g) Emergency Planning and Preparedness
- __ (h) Other Program Specific SEP

20. Cost of SEP. Cost calculated by the Project Model is required. $_____

21. Quantitative environmental pollutants and/or chemicals and/or waste-streams, amount of reductions/eliminations (e.g., emissions/discharges) SEP (cont'd)

Pollutant/Chemical/Waste Stream	Amount	Unit	Impacted Media

Units	Impacted Media (applicable to Removal and Restoration)
Pounds	Land, Soil
Cubic Yards	Land, Soil, Water (navigable/surface), Water (ground)
Acres	Water (wetlands)
Linear Feet ss	Water (wetlands)
Linear Feet ms	Water (wetlands)
Linear Feet ls	Water (wetlands)

Units	Impacted Media (applicable to Reduction on Ongoing Release)
BTUs	Air
Gallons	Land, Soil
Pounds	Air, Land, Soil, Water (navigable/surface), Water (wastewater to POTW)
Pounds/yr	Air, Land, Soil, Water (navigable/surface), Water (wastewater to POTW)
Cubic Yards	Air, Land, Soil, Water (ground), Water (navigable/surface), Water (wastewater to POTW)
People	Water (drinking)

Buildings	Buildings/Housing/Schools
Schools	Buildings/Housing/Schools
Single Family Housing (SF Housing)	Buildings/Housing/Schools
Multi-Family Housing (MF Housing)	Buildings/Housing/Schools
Wells	Water (underground source)

Units	Impacted Media (applicable to Prevention of Future Release)
Acres	Water (wetlands)
Cubic Yards	Land, Soil
Pounds	Air, Land, Water (navigable/surface)
Pounds/yr	Air, Land, Water (navigable/surface)
Gallons	Land, Soil, Water (navigable/surface)
Gallons/yr	Land, Soil, Water (navigable surface)
Buildings	Buildings/Housing/Schools
Schools	Buildings/Housing/Schools
Single Family Housing (SF Housing)	Buildings/Housing/Schools
Multi-Family Housing (MF Housing)	Buildings/Housing/Schools
Wells	Water (underground source)

E. Cost of Complying Action(s)/Injunctive Relief (Non-SEP) (APO's w/o inj. relief [3(c) above], Superfund Admin. Cost Recovery Agreements [3(n) above] SKIP THIS SECTION)

22. Cost of actions. (Actual cost data supplied by violator is preferred figure.): $ 5000 (core program)

Indicate OECA National Enforcement Initiative(s) amounts below (if applicable):

NEI: _____; $ _____

NEI: _____; $ _____

NEI: _____; $ _____

F. Quantitative Environmental Impacts

23. What action did the violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet additional requirements (other than what has already been reported on the Inspection Conclusion Data Sheet (ICDS)). This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions related to an APO which did not specify compliance requirements). Select the appropriate outcome category and action from the list below.

Outcome Category	Complying Action
Removal and Restoration	Ex-Situ Treatment In-Situ Treatment Removal of Carcass Debris Removal of Contaminated Media Removal of Released Pollutants (includes oil spills) Wetlands Creation Wetlands Restoration

Outcome Category	Complying Action
Reduction of Ongoing Releases	Implement BMP: Surface Water Runoff Implement BMP: Lagoon/Storage Pond Leaks or Spills Implement BMP: Manure Over Application Implement BMP: Animal Bedding Leachate Implement BMP: Silage Leachate Implement BMP: Proper Carcass Disposal HW Use Reduction HW Treatment HW Disposal Change HW Storage Change HW Waste Containment

	Use Reduction Treatment Disposal Change Storage Change Waste Containment Heat Reduction NPDES Discharge Change NPDES Process Change Implement BMP: Stormwater from Existing Construction Activities Implement BMP: Industrial Stormwater Implement BMP: Separate Municipal Stormwater Systems (MS4s) Implement BMP: Other CSO Flow Reduction CSO Primary or Secondary Treatment SSO CMOM SDWA Process Change Biosolids Process Change Pesticide Destroyed (In Commerce) Import Pesticide Returned to Foreign Origin Pesticide Returned to Compliance by Manufacturer/Producer (Domestic) Proper Pesticide Use Cease Pesticide Sale, Distribution Pesticide Advertising Claim Removed Secondary Containment Change (on-going) Pesticide Container Change (on-going) Offset Project (mobile sources) Retire Pollution Credits (mobile sources) Retire Pollution Credits (stationary sources) Replace or Remediate Engines/Vehicles (In Commerce) Source Reduction Emissions Change Leak Repair (LDAR) Abatement (non-removal remediation) Implement Asbestos Management Plan Handling PCBs (disposal change) UIC Plug and Abandon (w/ leaks) Tank Repair Tank Removal Tank Storage Change

Prevention of Future Releases	Proper Waste Transport Proper Waste Storage Proper Waste Containment Proper Waste Disposal Proper Waste Export Cathodic Protection System Maintenance/Repair Oil Storage Change Compliance/Warranty Schedule Change Replace or Remediate Engines/Vehicles (Future Production) Plan Implementation Pesticide Production Ceased Pesticide Label Revised (Future Production) Pesticide Advertising Claim Removed (Future Production) Pesticide Manufacturing Change Pesticide Container Change Pesticide Secondary Containment Change Leak Detection (LDAR) Risk Management Plan Implemented Industry Standards Adopted Toxic Material Abatement (w/o existing release) Preventative Management Plan Implemented Plug and Abandon (w/o leaks) Secondary Containment (UST)

	Implement Corrosion Protection System Implement Tank Overfill/Spill Protection Implement Release Detection System (UST) Tank Closure Wetlands Preservation

24. Quantitative environmental impact of actions described in item #23: (Add additional pollutants on blank sheet). For each action, provide the following:

Complying Action: ___ NPDES Discharge Change_____

Pollutant/Chemical/Waste Stream	Amount	Unit	Impacted Media	NEI (please specify)
Produced Water, TDS	3740	lbs	water (navigable/surface	

Complying Action: _____Reporting_____

Pollutant/Chemical/Waste Stream	Amount	Unit	Impacted Media	NEI (please specify)

Complying Action: _____

Pollutant/Chemical/Waste Stream	Amount	Unit	Impacted Media	NEI (please specify)

Complying Action: _____

Pollutant/Chemical/Waste Stream	Amount	Unit	Impacted Media	NEI (please specify)

Units
Pounds
Cubic Yards

Impacted Media (applicable to Removal and Restoration)
Land, Soil
Land, Soil, Water (navigable/surface), Water (ground)

Acres	Water (wetlands)
Linear Feet ss	Water (wetlands)
Linear Feet ms	Water (wetlands)
Linear Feet ls	Water (wetlands)

Units	**Impacted Media (applicable to Reduction on Ongoing Release)**
BTUs	Air
Gallons	Land, Soil
Pounds	Air, Land, Soil, Water (navigable/surface), Water (wastewater to POTW)
Pounds/yr	Air, Land, Soil, Water (navigable/surface), Water (wastewater to POTW)
Cubic Yards	Air, Land, Soil, Water (ground), Water (navigable/surface), Water (wastewater to POTW)
People	Water (drinking)
Buildings	Buildings/Housing/Schools
Schools	Buildings/Housing/Schools
Single Family Housing (SF Housing)	Buildings/Housing/Schools
Multi-Family Housing (MF Housing)	Buildings/Housing/Schools
Wells	Water (underground source)

Units	**Impacted Media (applicable to Prevention of Future Release)**
Acres	Water (wetlands)
Cubic Yards	Land, Soil
Pounds	Air, Land, Water (navigable/surface)
Pounds/yr	Air, Land, Water (navigable/surface)
Gallons	Land, Soil, Water (navigable/surface)
Gallons/yr	Land, Soil, Water (navigable surface)
Buildings	Buildings/Housing/Schools
Schools	Buildings/Housing/Schools
Single Family Housing (SF Housing)	Buildings/Housing/Schools
Multi-Family Housing (MF Housing)	Buildings/Housing/Schools
Wells	Water (underground source)

(Note: When entering quantitative data into ICIS, the system will automatically filter the possible selection for complying action types, units, and potentially impacted media).

G. Non-Quantitative Activities/Impacts (Non-SEP) Choose all that apply:

Outcome Category	Complying Action
Work Practices	Training Certification and Accreditation Labeling - Identification Labeling – Material Management Auditing Cease Activity Record-keeping Testing/Sampling Reporting Environmental Management Review General Duty CAA 112(r)(1) Monitoring Planning Information Letter Response Notification Permitting Hazardous Waste Identification Manifesting Financial Responsibility Requirements Institutional Controls RI/FS or RD (CERCLA) Site Assessment/ Characterization (CERCLA) Provide Site Access (CERCLA) Storm Water Site Inspections Asbestos Inspections

	Develop CMOM Program (CWA) FIFRA Establishment Registration Obtained FIFRA Establishment Terminated Product Registration UIC Demonstrate Mechanical Integrity Work Practices

Pollutant Reduction Amount for Polk Operating, LLC – CWA-06-2013-1825

Cease discharge and Remove brine from flow path:

Before compliance: 7000 ppm
After compliance: 100 ppm
Volume: (90 + 120 + 120 + 120 + 120 + 120 + 120 + 120 + 120 + 120 + 120 + 120) X 42 = 59220 gal
3407 lbs

Remove brine from impacted water body:

Trib. of Red Creek
Before compliance: 1300 ppm
After compliance: 100 ppm
Volume Removed: 200 ft X 5 X 1 = 1000 ft^3
1000 x 7.48 = 7480 gal

75 lbs

Trib. of Sam Suell Hollow Creek
Before compliance: 7000 ppm
After compliance: 100 ppm
Volume Removed: 200 ft x 3 ft x 1 ft = 600 ft^3
4488 gal

258 lbs

Total: 3740 lbs

Work: $4000

Submit written certification:
$1000

Submit PPP:
$2000